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UNITED STATES DISTRICT COURT
 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 WESTERN DIVISION

UNITED STATES OF AMERICA,)	NO. CV 10-3970 DSF (VBKx)
)	
Plaintiff,)	
)	
v.)	CONSENT JUDGMENT
)	
\$58,000.00 IN U.S. CURRENCY,)	
)	
Defendants.)	
)	
GABRIEL HERNANDEZ DIAZ,)	
)	
Claimant.)	
)	

This action was filed on May 26, 2010. Notice was given and published in accordance with law. On June 28, 2010, claimant Gabriel Hernandez Diaz ("Diaz") filed a claim. No other claims or answers have been filed, and the time for filing such claims and answers has expired. Plaintiff and claimant have reached an

1 agreement that is dispositive of the action. The parties hereby
2 request that the Court enter this Consent Judgment of Forfeiture.

3 **WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:**

4 1. This court has jurisdiction over the parties and the
5 subject matter of this action.

6 2. Notice of this action has been given in accordance with
7 law. All potential claimants to the defendant other
8 than claimant are deemed to have admitted the
9 allegations of the Complaint. The allegations set out
10 in the Complaint are sufficient to establish a basis
11 for forfeiture.

12 3. \$18,000.00 of the defendant currency, without any
13 interest earned, shall be paid to claimant not later
14 than forty-five (45) days from the date of the entry of
15 this judgment by electronic transfer directly into the
16 account entitled "Paul L. Gabbert, Client Trust
17 Account."

18 4. The United States of America shall have judgment as to
19 the remainder of the defendant currency, plus all
20 interest earned by the government on the full amount of
21 the defendant currency, and no other person or entity
22 shall have any right, title or interest therein. The
23 United States Marshals Service is ordered to dispose of
24 said assets in accordance with law.

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1 5. Claimant hereby releases the United States of America,
2 its agencies, agents, and officers, including employees
3 and agents of the Drug Enforcement Administration, from
4 any and all claims, actions or liabilities arising out
5 of or related to this action, including, without
6 limitation, any claim for attorney's fees, costs or
7 interest which may be asserted on behalf of the
8 claimant.

9 6. Plaintiff, United States of America, agrees that it
10 will not seek to recover civil sanctions (except to the
11 extent that the forfeiture of the defendants can be
12 considered a civil sanction), attorney's fees or costs
13 in connection with this action or the underlying
14 seizure.

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7. The Court finds that there was reasonable cause for the seizure of the defendant currency and institution of these proceedings. This judgment shall be construed as a certificate of reasonable cause pursuant to 28 U.S.C. § 2465.

Dated: 7/15/10



THE HONORABLE DALE S. FISCHER
UNITED STATES DISTRICT JUDGE

DATED: July ___, 2010

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DATED: July ___, 2010

PAUL L. GABBERT, ESQ.

Attorney for Claimant
Gabriel Hernandez Diaz